

REMARKS

In the Office Action, dated October 10, 2003, the Examiner rejected claims 3-5, 7, 8, 10-13, 15, 16, 21-25 and 27-31 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,611,522 (hereinafter "ZHENG").

In regards to the rejection of claims 3-5, 7, 8, 10-13, 15, 16, 21-25 and 27-31 under 35 U.S.C. §102(e), Applicant respectfully submits that the reference used is not "prior art" with respect to the present application. ZHENG has a non-provisional filing date of June 18, 1999, which is after the January 25, 1999 non-provisional filing date of the present application. Additionally, ZHENG claims priority to the same provisional application, provisional application 60/090,028, filed June 19, 1998. Therefore, ZHENG does not have an earlier effective filing date than the present application, but has the same effective filing date. Applicant, thus, respectfully submits that ZHENG is not available as "prior art" for rejecting the present claims. Since ZHENG is not available as "prior art," Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. §102(e).

Applicant additionally notes that the Office Action does not address claims 17, 18 and 26. These claims have not been canceled from the application and, thus, are still pending. Applicant respectfully requests that these claims be addressed in any future Office Action.

In view of the foregoing remarks, Applicant respectfully requests the Examiner's reconsideration of this application, and the timely allowance of the pending claims. To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,



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